IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL
ORIGINAL JURISDICTION
Dated: Nainital: the 6th day of June, 2005
Criminal Misc. Bail application No. 431/2005
Order on the bail application of accused

CRIMINAL SIDE

1.Mahesh Saini S/o Jagdhish Saini
R/o Moh. Pajau Gir Barabagh
P.S. Modi Nagar
District Ghaziabad, U.P.
2.Harendra Tyagi
S/o Brahmudutt Tyagi
R/o H. No. 21, Govindpuri
Double Story Turn Near Govt. Bagh
P.S. Modi Nagar
District Ghaziabad

.....Applicants

Versus

State of Uttaranchal

.....Opposite Party

Arising out of case crime No. 657/ 2005
U/s 379, 411 I.P.C.
P.S. Kotwali, Haridwar
District-Haridwar

Hon'ble J.C.S. Rawat, J.

Heard Sri Navneet Kaushik learned counsel for the applicants and learned A.G.A. for the State.

Perused the record. Perusal of the record reveals that the applicants were released on bail in case crime No. 658/2004 under section 398, 401 IPC and in consequence of the same offence the recovery of the alleged car has been made by the police. It was contended that the incident of theft took place two days ago and the said car remained at Haridwar city. The learned counsel for the applicants further contended that if it would have been the case of car lifting the accused persons would have taken the car outsider the district. Considering the facts, totality of the circumstances of the case and contentions of parties, it is a fit case for bail.

Let the applicants-accused be released on bail on executing a personal bond and two sureties each in the like amount to the satisfaction of C.J.M. concerned.

(J.C.S. Rawat, J.)

Dated: 06.06.2005
LSR